

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

MATTHEW ROUILLARD and KRISTY
MUNDEN, individually and on behalf of all
others similarly situated,

Plaintiffs,

v.

SAG-AFTRA HEALTH PLAN,

Defendant.

LEE WILKOF, individually and on behalf of all
others similarly situated,

Plaintiff,

v.

SAG-AFTRA HEALTH PLAN,

Defendant.

Case No.: 2:24-CV-10503-MEMF-JPR

**[PROPOSED] ORDER GRANTING
PLAINTIFFS' JOINT MOTION TO
CONSOLIDATE RELATED ACTIONS
AND APPOINT INTERIM CLASS
COUNSEL [ECF NO. #13]**

Case No.: 2:24-CV-10626-WLH-PD

STEVEN BARR, individually and on behalf of
all others similarly situated,

Plaintiff,

v.

SAG-AFTRA HEALTH PLAN,

Defendant.

Case No.: 2:24-CV-10462-SVW-BFM

MASSIMILIANO FURLAN, individually and
on behalf of all others similarly situated,

Plaintiff,

v.

SAG-AFTRA HEALTH PLAN,

Defendant.

Case No.: 2:24-CV-10791-MRA-JC

On February 13, 2025,¹ Plaintiffs Matthew Rouillard, Kristy Munden, Lee Wilkof, Steven Barr, and Massimiliano Furlan (“**Plaintiffs**”) filed their Motion to Consolidate Related Actions and Appoint Interim Class Counsel (“**Motion**”).

WHEREAS, the Coordinated Plaintiffs in related cases pending in this District: *Rouillard, et al. v. SAG-AFTRA Health Plan*, Case No. 2:24-cv-10503-MEMF-JPR (“**Rouillard**”); *Wilkof v. SAG-AFTRA Health Plan*, Case No. 2:24-cv-10626-WLH-PD (“**Wilkof**”); *Barr v. SAG-AFTRA Health Plan*, Case No. 2:24-cv-10642-SVW-BFM (“**Barr**”); and *Furlan v. SAG-AFTRA Health Plan*, Case No. 2:24-cv-10791-MRA-JC (“**Furlan**”) (Plaintiffs Matthew Rouillard, Kisty Munden, Lee Wilkof, and Massimiliano Furlan are referred to herein as the “**Majority Plaintiffs**”) agree that these actions, as well as any subsequently filed or transferred related actions, for all pretrial purposes, excluding trial

¹ Footnote 1.

should be consolidated under the *Rouillard* case, No. 2:23-cv-10503 pursuant to Federal Rule of Civil Procedure 42(a); and

WHEREAS, the Plaintiffs seek to have John J. Nelson of Milberg Coleman Bryson Phillips Grossman PLLC, Yana Hart of Clarkson Law Firm, PC, and Gregory Haroutunian of Clayco C. Arnold, as Interim Co-Lead Counsel; and James F. Clapp of Clapp & Lauinger, LLP, as Executive Committee Chair, which consists of the foregoing three attorneys and their respective firms.

The Court having considered the Plaintiffs' Motion and finding good cause therefor, hereby **GRANTS** the Motion and **ORDERS** as follows:

I. MOTION TO CONSOLIDATE RELATED CASES

1. The *Rouillard*, *Wilkof*, *Barr*, and *Furlan* actions currently pending in this District, and any other action arising out of the same or similar operative facts now pending or hereafter filed in, removed to, or transferred to this District, shall be consolidated for pre-trial purposes pursuant to Rule 42(a) (hereafter the "**Consolidated Action**").

2. All papers in the Consolidated Action shall be filed under Case No. 2:24-cv-10503, the number assigned to the first-filed case, and shall bear the following caption:

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

IN RE: SAG-AFTRA HEALTH PLAN
DATA SECURITY LITIGATION

Master File No. 2:24-cv-10503

This Document Relates To:

3. The case file for the Consolidated Action will be maintained under Master File No. 2:24-cv-10503. When a pleading is intended to apply to all actions to which this Order applies, the words "All Actions" shall appear immediately after the words "This Document Relates To:" in the caption described above. When a pleading is not intended to apply to all actions, the docket number

1 for each individual action to which the paper is intended to apply and the last name of the first-named
2 plaintiff in said action shall appear immediately after the words “This Document Relates To:” in the
3 caption identified above, e.g., “2:24-cv-10503 (*Roulliard*).”

4 4. Any action subsequently filed in, transferred to, or removed to this Court that arises out
5 of the same or similar operative facts as the Consolidated Action and seeks relief on a representative
6 or classwide basis, shall be consolidated with the Consolidated Action for pre-trial purposes. The
7 parties shall file a Notice of Related Action whenever a case that should be consolidated into this
8 action is filed in, transferred to, or removed to this District.

9 5. If the Court determines that the case is related, the clerk shall:

- 10 a. Place a copy of this Order in the separate file for such action;
11 b. Serve on Plaintiffs’ counsel in the new case a copy of this Order;
12 c. Direct that this Order be served upon Defendant in the new case; and
13 d. Make an appropriate entry in the Master Docket.

14 6. Plaintiffs shall meet and confer with Defendant within twenty-one (21) days following
15 the entry of an order appointing interim class counsel or other designated counsel to propose a schedule
16 for submission of a Consolidated Amended Complaint and subsequent response.

17 7. Any response to the Consolidated Amended Complaint shall be due within thirty (30)
18 days from the filing of the Consolidated Amended Complaint. All prior response deadlines are vacated.
19 Should Defendant intend to file one or more motions to dismiss, the Parties will comply with Local
20 Civil Rules 7-9 and 7-10 with the following clarifications and/or adjustments:

- 21 a. Any Opposition to a motion to dismiss shall be filed and served within thirty (30)
22 days of the filing of the motion to dismiss; and

- 23 b. Any reply brief shall be filed and served within fourteen (14) days of the opposition;

24 8. This Order shall apply to the above-captioned matters, any subsequently consolidated
25 action, any actions consolidated with the above-captioned matters, and any actions filed in or
26 transferred or removed to this Court relating to the fact and the data breach underlying this litigation.
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1 **II. MOTION TO APPOINT INTERIM CO-LEAD COUNSEL**

2 1. The Court hereby appoints John J. Nelson of Milberg Coleman Bryson Phillips
3 Grossman PLLC, Gregory Haroutunian of Clayco C. Arnold, A Professional Corporation, and Yana
4 Hart of Clarkson Law Firm, P.C. as Interim Co-Lead Counsel; and James F. Clapp of Clapp &
5 Lauinger, LLP, Executive Committee Chair, which consists of the foregoing three attorneys and their
6 respective firms, for all Plaintiffs.

7 2. Interim Co-Lead Counsel must assume responsibility for the following duties during
8 all phases of this litigation:

- 9 a. Coordinating the work of preparing and presenting all of Plaintiffs' claims and
10 otherwise coordinating all proceedings, including organizing and supervising the
11 efforts of Plaintiffs' counsel in a manner to ensure that Plaintiffs' pretrial preparation
12 is conducted effectively, efficiently, expeditiously, and economically;
- 13 b. Delegating work responsibilities and monitoring the activities of all Plaintiffs'
14 counsel, including non-lead plaintiff's counsel who are expressly authorized to work
15 on this case, in a manner to promote the orderly and efficient conduct of this litigation
16 and to avoid unnecessary duplication and expense;
- 17 c. Calling meetings of Plaintiffs' counsel for any appropriate purpose, including
18 coordinating responses to questions of other parties or of the Court, and initiating
19 proposals, suggestions, schedules, project assignments, and any other appropriate
20 matters;
- 21 d. Determining (after consultation with other co-counsel as may be appropriate) and
22 presenting (in briefs, oral argument, or such other fashion as he or his designee may
23 deem appropriate) to the Court and opposing parties the position of the Plaintiffs on
24 all matters arising during pretrial (and, if appropriate, trial) proceedings;
- 25 e. Serving as the primary contact for all communications between Plaintiffs and
26 Defendants, and acting as spokespersons for all Plaintiffs vis-à-vis Defendants and
27 the Court;
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- 1 f. Directing and executing on behalf of Plaintiffs the filing of pleadings and other
- 2 documents with the Court;
- 3 g. Appearing at all court hearings and conferences regarding the case as most
- 4 appropriate for effective and efficient representation, and speaking for Plaintiffs at all
- 5 such hearings and conferences;
- 6 h. Receiving and initiating communication with the Court and the Clerk of the Court
- 7 (including receiving orders, notices, correspondence, and telephone calls) and
- 8 dispensing the content of such communications among Plaintiffs' counsel;
- 9 i. Initiating and conducting discussions and negotiations with counsel for Defendants on
- 10 all matters, including settlement;
- 11 j. Negotiating and entering into stipulations with opposing counsel as necessary for the
- 12 conduct of the litigation;
- 13 k. Initiating, coordinating, and conducting all discovery on Plaintiffs' behalf and
- 14 ensuring its efficiency, with the assistance of all Plaintiffs' counsel;
- 15 l. Selecting, consulting with, and employing experts for Plaintiffs, as necessary;
- 16 m. Encouraging and enforcing efficiency among all Plaintiffs' counsel;
- 17 n. Assessing Plaintiffs' counsel for the costs of the litigation;
- 18 o. Preparing and distributing periodic status reports to the Court and to the parties as
- 19 ordered;
- 20 p. Develop and recommend for Court approval practices and procedures pertaining to
- 21 attorneys' fees and expenses as further detailed below and, on an ongoing basis,
- 22 monitor and administer such procedures. At such time as may be appropriate, Interim
- 23 Co-Lead Counsel will also recommend apportionment and allocation of any fees and
- 24 expenses that might become due to Plaintiffs' counsel in this matter, subject to Court
- 25 approval; and,
- 26 q. Performing such other duties as are necessary in connection with the prosecution of
- 27 this litigation or as may be further directed by the Court.
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1 **III. ADDITIONAL MATTERS**

2 1. Settlement Discussions. Any discussions of a settlement of this litigation shall be
3 conducted by Interim Class Counsel and any other counsel designated by Interim Class Counsel.

4 2. Proposed Agendas. In advance of each status conference, Interim Co-Lead Counsel and
5 Defendants' Counsel will meet and confer regarding the status and proposed agenda for the conference.
6 Unless otherwise ordered, Interim Co-Lead Counsel and Defendants' Counsel will file a joint notice
7 setting out the proposed agenda and the parties' joint and/or respective positions no later than two (2)
8 calendar days before each status conference.

9 3. Application of this Order. This Order applies to all actions included in the above-
10 captioned consolidated matters and all subsequently consolidated actions.

11 Interim Co-Lead Counsel must serve a copy of this Order and all future orders promptly by
12 overnight delivery service, facsimile, or other expeditious electronic means on counsel for Plaintiffs
13 in each Related Case not yet consolidated in this proceeding to the extent that they are aware of any
14 such action(s) and on all attorneys for Plaintiffs whose cases have been so consolidated but who have
15 not yet registered for ECF.

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17 **IT IS SO ORDERED.**

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19 Dated: January __, 2025

20 _____
MAAME EWUSI-MENSAH FRIMPONG

21 United States District Judge
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